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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 JERRY LEE BROWN,

10 Plaintiff,

Case No. C18-1719-RSL-MLP

11 v.

ORDER TO SHOW CAUSE

12 DETECTIVE JOSHUA K. MATT,

13 Defendant.

14 This is a civil rights action brought under 42 U.S.C. § 1983. On January 7, 2019, the Court  
15 issued an Order directing service of plaintiff's civil rights complaint on the lone defendant  
16 named in this action, Auburn Police Department Detective Joshua Matt.<sup>1</sup> (Dkt. # 5.) On January  
17 17, 2019, counsel entered appearances on behalf of Detective Matt. (Dkt. ## 6, 7.) To date,  
18 Detective Matt has not returned the waiver of service of summons which was included in his  
19 service packet, nor has he filed a responsive pleading.

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21 <sup>1</sup> On January 28, 2019, the Court received a letter from plaintiff in which he indicated his complaint is  
22 against the City of Auburn, and not against Detective Matt. (Dkt. # 8.) However, plaintiff did not identify the City  
23 of Auburn as a defendant in his complaint, nor did he specifically allege a cause of action against the City of  
Auburn. If plaintiff wishes to add or substitute the City of Auburn as a defendant in this action, he must submit an  
amended complaint that identifies the City of Auburn as a defendant and that specifically alleges a cause of action  
against the City of Auburn.

1 Accordingly, the Court hereby ORDERS as follows:

2 (1) Detective Matt shall SHOW CAUSE within *twenty-one (21) days* why the Court  
3 should not direct that he be personally served and why the cost of such personal service should  
4 not be assessed pursuant to Rule 4(d)(2) of the Federal Rules of Civil Procedure.

5 (2) The Clerk is directed to send copies of this Order to plaintiff, to Detective Matt at  
6 the City of Auburn Police Department, to counsel for Detective Matt, and to the Honorable  
7 Robert S. Lasnik.

8 Dated this 20th day of March, 2019.

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11 MICHELLE L. PETERSON  
12 United States Magistrate Judge  
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